

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Minutes June 3, 2019

A meeting of the Planning Board was held on Monday, June 3, 2019 at the Hampstead Town Hall, 11 Main Street, Hampstead, NH. This meeting was broadcast live over HCTV 17.

PRESENT: Paul Carideo (Chairman), Steve Wentworth, DJ Howard, Bob Villella, Chuck Ashford Jr., Sean Murphy, Randy Clark (Alternate), Susan Hastings (Alternate), and Scott Bourcier (Dubois & King).

The public attendance roster is available as an attachment to this document.

Chairman Carideo opened the meeting at 7:00 P.M. P. Carideo announced that R. Clark would be a voting member for the open PB position. P. Carideo announced that alternate; S. Hastings would be a voting member until D. Howard arrived at the meeting.

CHAIRMAN'S REMARKS

Next Public Hearing Date July 1, 2019

Filing Deadline for the July 1, 2019 Meeting is June 5, 2019

Other Public Matters

C. Ashford and R. Clark stepped down from their spot on the board.

1. 09-070 Johnson Meadow – Erosion Control Bond

Josh Manning from Points North Design was present to represent the applicant. J. Manning stated that he had a few questions about the bond amount. J. Manning stated that the unit price for loam was not the same as similar projects that were recently approved by the PB. J. Manning commented that \$500 for an ornamental tree seemed high. J. Manning stated that the applicant received a waiver not to prepare a Storm Water Pollution Prevention Plan (SWPPP) and questioned why there would be a line item on the bond for this item. J. Manning commented that he does not foresee 40 hours of inspection for a single duplex and feels the \$4,000 line item for this should be reviewed. J. Manning stated that they will be disturbing less area than a typical house for this project.

P. Carideo stated that the SWPPP is not a PB requirement rather a Federal EPA requirement so he will defer to S. Bourcier since the SWPPP requirement is based on the area of disturbance on the site. S. Bourcier stated he does not have the area of disturbance at hand. S. Bourcier indicated that he had spoken with the applicant earlier in the day regarding the bond. S. Bourcier stated that D&K tries to be fair and consistent. S. Bourcier stated that bonding for this project is not as cut and dry as a typical subdivision.

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S. Bourcier stated that D&K tries to justify if a contractor would do work for less than \$800 if they had to seed the site. This is why the price for the seed seems to be high. S. Bourcier stated that they can work with the PB and the applicant to negotiate the line items. S. Bourcier stated that part of D&K role in preparing the bond amount is to be sure that the Town of Hampstead can stabilize the site if work is not completed.

S. Bourcier responded to the comment concerning the SWPPP items by stating that it was an oversight not to include the SWPPP on a previous bond amount. J. Manning stated that there is 35,000 sq. ft. on the site which is no way close to an acre of disturbance and feels that the SWPPP would not be needed in this case.

S. Bourcier responded to the comment concerning the ornamental trees by stating that D&K uses NHDOT standards. S. Bourcier stated the applicant gave him quotes of \$90 a tree and S. Bourcier is fine with negotiating this amount. S. Bourcier stated that he would adjust the line item for trees to \$100 each, remove the SWPPP as well as the monitoring. The meadow seed at \$800 would remain. The contingency amount would be reduced since the overall bond amount is being reduced. S. Bourcier felt a \$20K bond would be fair.

Chairman Carideo asked the PB members for their opinion. B. Villella stated he has a problem with the figures and felt the loam at \$30 was too high. B. Villella stated he was ok with the silt fence and mulch amounts. B. Villella asked what the mobilization amount included. S. Bourcier responded by stating that if the Town needed to hire someone to do the work the mobilization is to move stuff around.

B. Villella feels a \$10K bond amount is more appropriate. Chairman Carideo reviewed the bond requirements with S. Murphy and stated that seed and loam are up for discussion. S. Bourcier commented that pricing on each project is variable. S. Bourcier stated that D&K looks at projects that they price as a guide when preparing bond amounts. S. Bourcier recommended that the PB maintain the 25% contingency since the fees are so variable. S. Bourcier stated the bond amount needs to be fair and reasonable but should also cover the Town.

B. Villella stated that Ashford is a reputable developer with a big subdivision he has invested millions of dollars; additionally he lives there with his family. B. Villella stated that the developer is not going to walk away. S. Bourcier stated that is a good point however that is not something that D&K considers when preparing the bond amount.

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S. Wentworth stated he calculated the bond numbers and \$12,500 is the figure he came to. S. Wentworth proposed a \$15K bond amount as reasonable. S. Murphy stated he came up with \$9,455 plus a 25% contingency would result in a bond amount of \$11K. P. Carideo commented that the PB seems to be on the same page. S. Hastings felt the amount was reasonable. P. Carideo went over the dollar amounts for the line items and got a total of \$9,545 with \$2,387 as the 25% contingency for a total bond amount of \$11,932 to be rounded up to \$12K.

J. Manning stated that the applicant is ok with this amount.

MOTION: S. Wentworth made a motion to set the bond amount for the Johnson Meadow, Map 09 Lot 070, project at \$12K.

SECOND: B. Villella

VOTE: 5-0

C. Ashford and R. Clark returned to their spots on the board. D. Howard arrived at the meeting and took his spot on the board. S. Wentworth stepped down from his spot on the board. P. Carideo announced that R. Clark would be a voting member for the open PB position.

2. 19-009 Winchester Heights – Bond Amount

S. Wentworth asked the PB members to review the \$150K Erosion Control bond that was prepared by D&K 07/19/2018; this bond is for erosion and sedimentation control for the entire project. P. Carideo reviewed each line item that is to be bonded. P. Carideo asked for PB input and there was none.

MOTION: C. Ashford made a motion to accept the \$150K bond amount for erosion and sediment control for the Map 19, Lot 009 Winchester Heights project.

SECOND: D. Howard

VOTE: 6-0

S. Wentworth questioned one of the line items on the Phase I and Phase II bonds prepared by D&K on 05/02/2019. S. Wentworth asked if the bituminous pavement could be removed. P. Carideo stated it could not be removed.

MOTION: C. Ashford made a motion to accept the Phase II bond amount of \$898K for the Map 19, Lot 009 Winchester Heights project.

SECOND: D. Howard

VOTE: 6-0

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MOTION: C. Ashford made a motion to accept the Phase I bond amount of \$1,182,000 for the Map 19, Lot 009 Winchester Heights project.

SECOND: D. Howard

VOTE: 6-0

Old Business

S. Wentworth returned to his spot on the board. R. Clark stepped down from his spot on the board.

1. 06-108 Hampstead Self-Storage – Conditional Approval expires 6/3/2019

Brian Franceour was present to request an extension of the conditional approval. P. Carideo stated the original approval was granted on 9/5/2017 which is almost two years extending the conditional approval. P. Carideo stated he understood the reasoning for the request since the applicant wanted to understand the impact of the storage facility located on Route 111. B. Franceour stated they are still waiting to see the impact. Chairman Carideo stated that applicants typically apply to the PB because they want to build. P. Carideo stated that he likes to see businesses succeed as it is good for the Town.

B. Villella stated that he was not on the PB for the original application and asked to be brought up to speed on the project. P. Carideo explained the application status and informed the board members that the PB office has received the Mylar and all conditions have been met with the exception of bonding.

C. Ashford asked if they bond the project and do not build would the applicant receive the bond amount back. P. Carideo responded by stating that they would receive the bond amount back, however, since there have been changes to the regulations and zoning a new application would need to be filed if they chose to build.

Mark Franceour asked how long he could have to post the bond. M. Franceour asked for a 90-day extension to post the bond amount. Chairman Carideo commented that it seems like 9/3/2019 is 90-days out.

MOTION: S. Wentworth made a motion to extend the conditional approval for Map 06, Lot 108, Hampstead Self-Storage to 9/3/2019.

SECOND: D. Howard

VOTE: 6-0

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R. Clark returned to his spot on the board.

2. 11-271 30 Baywood Drive – Single Lot Subdivision

Shane Gendron from Herbert Associates was present to represent the applicant. S. Gendron stated that there was a site walk since the last public hearing and stated that soil scientist, Luke Gurley from Gove Environmental was present to address the group and answer questions. S. Gendron stated the lot was plotted in 1985 as an unbuildable lot and they are now asking the PB to take a new look at the lot using today's standards. S. Gendron stated that they are looking for conditional approval tonight.

S. Bourcier stated that the new plan has not be reviewed and commented that it was received on 5/21/2019, 7 days after the submittal deadline. D. Howard indicated that he was satisfied after the site walk.

R. Clark commented that there was a question during the site walk raised by the abutting neighbor who stated that dirt work was done over the summer however the professionals have no knowledge of the work. P. Carideo stated that mapping was done prior to any fill being brought to the site. R. Clark does not feel this is the case. P. Carideo stated that test pits were dug down to 40" and feels any fill would have been observed during that process. B. Villella commented that the applicant would have dug down even further for the septic.

Chairman Carideo stated that with only an original review letter from D&K he does not feel comfortable granting conditional approval without a second review from the Town Engineer.

S. Wentworth stated he is concerned with the 12" culvert pipe that was used to drain the wetlands. S. Gendron stated he has no record of the pipe in his files. P. Carideo stated that he did not find any mention of the culvert pipe in the Town records; only a mention of an outlet.

S. Gendron stated that he feels they have addressed all the housekeeping items from S. Bourcier's original letter. P. Carideo responded by stating that the PB has a submittal deadline policy and the applicant missed the deadline. P. Carideo stated that normally the PB would not approve a plan with this many outstanding items. D. Howard stated he felt there were too many items for a motion.

Chairman Carideo asked for public comment.

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Brent Ebner – Conservation Commission (CC) – was present to bring forward Tim Lovell, CC Chairman's concerns regarding the subdivision. B. Ebner stated that the CC was concerned with the fill that was brought to the site.

Chairman Carideo stated the applicant received State Subdivision approval and that the lot had been mapped by a certified wetlands and soil scientist. P. Carideo stated that the application may be pushed back another 30 days and the CC can review and discuss during that period.

Chairman Carideo closed the public comment session.

D. Howard commented that a reputable soil scientist is not going to put his license on the line for a one-lot subdivision. P. Carideo added that he believed that all the Departments within NHDES usually talk to each other regarding cases and feels that likely happened in this case.

B. Villella commented that there is a list of 27 items that need to be addressed and asked if the two engineers could work together to resolve. S. Bourcier reiterated the fact that the plan was submitted on 5/21/2019, a week past the submission deadline.

S. Wentworth commented in the past the PB has granted conditional approval with 6 or 8 items but not with 27 items outstanding. Chairman Carideo reviewed the submission and resubmission deadlines. B. Villella asked S. Bourcier if he had any comments considering he has had the plan for two weeks. P. Carideo once again explained the submission process and stated he would assume the PB would receive D&K review comments on this project next week. Chairman Carideo stated the group could discuss further at the next workshop if they wish.

MOTION: D. Howard made a motion to continue the hearing for 30 Baywood Drive, Map 11 Lot 271, to the 07/01/2019 public hearing.

SECOND: C. Ashford

VOTE: 6-0

3. 10-005 Owens Court – Site Plan

Nicole Duquette from MHF Design Consultants, Inc. was present to represent the applicant. N. Duquette explained that since the last public hearing the Department Head Review (DHR) was held on 05/16/2019, however, the plan resubmittal deadline was 05/15/2019 and she did submit plans to D&K on this date but noted that obviously DHR comments were not included in that submittal

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package. N. Duquette indicated that she will add the Fire Department comments/request to the plan that were discussed at the DHR. N. Duquette stated that there was question regarding sight distance during the DHR. N. Duquette met with the Road Agent and D&K on site last week to work on and resolve the sight distance issue.

N. Duquette stated that a lighting plan has been provided along with a sight distance plan. N. Duquette stated that there is no light trespass, all fixtures are wall mounted, and all are Dark Sky compliant. N. Duquette stated that there will be no outside storage on the site. N. Duquette stated there is a guardrail being proposed near the infiltration system in order to avoid any parking or storage in that area.

N. Duquette stated that Hampstead's sight distance requirements match NHDOT. N. Duquette commented that Owens Court is a dead end street and she observed speed limits of 30 mph at the site which included vehicles such as dump trucks and service trucks. N. Duquette stated that the issue with the sight distance at Owens Court will never meet the 400' requirement and that Valerie's Way has a similar issue. N. Duquette stated that the sight distance they are proposing meets the AASHTO standards. N. Duquette stated she is requesting a waiver for the sight distance.

N. Duquette stated she is requesting a waiver for driveway width and has provided a truck-turning plan that will accommodate emergency vehicles. N. Duquette stated she is requesting a waiver from the community assessment impact study requirement.

N. Duquette stated the proposed blasting on the site would improve the visibility at Owens Court. N. Duquette responded to the comments made at the last hearing regarding a blasting plan for the site and stated the blasting would start no earlier than 9AM and no later than 3PM during weekdays only. Additionally surveys will be done by a third-party.

N. Duquette also stated that some spot elevations were incorrectly noted on the plan and would be fixed. N. Duquette informed the PB members that there was discussion regarding commercial lot size calculations and she stated she would add those numbers to the plan. N. Duquette welcomed questions/comments from the board.

Chairman Carideo asked the PB members for their questions/comments.

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C. Ashford stated that the entire area is all commercial which is a different situation than vehicles traveling on Kent Farm Road. R. Clark agreed and felt using the AASHTO standard would be ok. P. Carideo stated he would be concerned if the dance academy was still in Owens Court.

C. Ashford stated he was ok with two driveways with each allowing entering and exiting. P. Carideo stated he thinks they need the two driveways because the site is maxed out. R. Clark commented that the site has lots of frontage.

P. Carideo asked S. Bourcier for his opinion regarding the sight distance. S. Bourcier stated he needed to review since AASHTO standards are different. S. Bourcier stated he is questioning if the gravel road would connect to Freedom Hill Road at some point. S. Bourcier concerned that if the roads are connected at some point vehicles could use Owens Court as a cut through. S. Bourcier stated he supports both curb cuts and would support the AASHTO standards as Owens Court is a dead end roadway as the only traffic would be people with businesses within Owens Court.

P. Carideo stated that he only sees the sight distance in one direction noted. S. Bourcier commented that he wants both sides documented. P. Carideo agreed and stated he wants it recorded.

P. Carideo stated he would like the blasting notes on the plan as well. P. Carideo stated he would like more information such as the type of charge, the amounts, etc. P. Carideo stated there are community water systems near the site and is concerned that they could be impacted by the blasts. P. Carideo stated the PB might need to vote on regional impact with blasting since the site borders Sandown. R. Clark stated he would like the total blast and rock removal noted.

P. Carideo inquired about the minimum lot size calculation. S. Bourcier explained that having the lot size calculated show the proposed use can be handled on the site. P. Carideo agrees that the lot size calculation be shown to prove the lot can support the commercial use. N. Duquette explained the lot sizing. S. Bourcier asked for it to be submitted in writing.

Steve Hatem had a question regarding blasting and commented that the company he uses follows the State standards. P. Carideo stated the PB needs to know what is being proposed, for example, will the whole site be blasted at once or are particular areas being targeted. Also, what is the estimated cubic yard of

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removal. P. Carideo stated this information should be included in the blasting plan.

D. Howard and P. Carideo had a discussion regarding blasting. N. Duquette explained that blasting is required on site for the utilities and the cistern.

Chairman Carideo suggested the PB discuss the waiver requests.

MOTION: D. Howard made a motion to waive the requirements of Section XV, Part 3.G-3 to allow a reduction in the allowable sight distance from 400 ft. to 200 ft. for property located at Map 10 Lot 005.

SECOND: B. Villella

VOTE: 6-0

MOTION: R. Clark made a motion to waive the requirements of Section XV, Part 3.G-8 to allow for driveway widths of 30' and 35' for property located at Map 10 Lot 005.

SECOND: B. Villella

VOTE: 6-0

MOTION: R. Clark made a motion to waive the requirements of Section IV, Part 2-C to allow land with ledge within 4 feet of the ground surface to be suitable for developing.

SECOND: S. Wentworth

VOTE: 6-0

MOTION: R. Clark made a motion to waive the requirements of Section IV, Part 3-E and not provide a Community Service Impact Assessment.

SECOND: C. Ashford

VOTE: 6-0

Chairman Carideo announced that the applicant has submitted a special request to receive permission for two (2) egress points on/off the parcel, instead of one, as allowed under Section XV, Part G-2 of the Subdivision Regulations. N. Duquette commented that the regulations state if there is so much linear feet of frontage a special request could be made.

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MOTION: D. Howard made a motion to grant a the special request to allow two (2) egress points on/off the parcel, instead of one, as allowed under Section XV, Part G-2 of the Subdivision Regulations.

SECOND: B. Villella

VOTE: 6-0

S. Bourcier stated that D&K would support conditional approval based on the May 30, 2019 letter only three (3) items remain to be addressed; the blasting plan, the sight distance, and the remaining D&K comments. P. Carideo commented that if the PB determined that blasting would have a regional impact then the Town of Sandown would need to be noticed. P. Carideo questioned what the minimum threshold that is acceptable to a Town is as he does not have guidelines in front of him. N. Duquette stated that the wells will be monitored before and after the blasting.

MOTION: S. Wentworth made a motion to grant 90-day conditional approval for the site plan submitted for property located at 10-005 15 Owens Court subject to standard conditions as well as special conditions listed below.

SECOND: D. Howard

VOTE: 5-1 (S. Murphy)

SPECIAL CONDITIONS

- Provide a blasting plan which illustrates that blasting will be under the threshold for regional impact.
- Demonstration that the available sight distance on both points of egress meet the current AASHTO sight-distance requirements of 200 feet.
- Address all review comments from the Dubois & King letter dated May 30, 2019.
- Submission of all Federal and State Approvals.

4. 16 Lots 1 & 25 – Hadley Road Subdivision

Tim Lavelle from James Lavelle and Associates was present to represent the applicant. T. Lavelle stated that revisions needed to be added to the plan as a result of the DHR meeting. T. Lavelle stated the plans presented to the PB members tonight have not been officially submitted to D&K. T. Lavelle stated there are new drainage plans that are being worked on by Gregsak as a result of D&K comments. T. Lavelle stated the proposal is to update Hadley Road with four house lots on each side of the road.

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T. Lavelle indicated that the cul de sac was designed with a 75' radius using the old subdivision requirements. T. Lavelle stated that he could change the design to accommodate the new requirements if the PB so wished. T. Lavelle indicated the Road Agent was ok with the 75' versus the 97' cul de sac.

P. Carideo questioned the cul de sac dimension. S. Bourcier stated he would have to go back and review what was changed. S. Bourcier stated his feeling is that the new regulations more than likely incorporated standards that D&K sees in the surrounding towns. S. Bourcier stated if the PB and Department Heads are OK with the 75' cul de sac it could remain. S. Bourcier stated he believes the idea of a 97' cul de sac would include a vegetated island.

D. Howard asked how far the PB approval could go without the road being upgraded. Chairman Carideo stated that one of the conditions of approval would be that the road be upgraded. D. Howard asked if the parking lot is not on the plan could the PB deny the application or is Conservation still able to build parking lot without PB approval. Chairman Carideo and R. Clark both commented that the Conservation Commission can build the parking lot without the PB approval since it is on Town owned Conservation land.

T. Lavelle commented that the driveway for the parking lot comes off the cul de sac with the road improvements. T. Lavelle stated that he added notes to the plan regarding the fire hydrants that were requested.

P. Carideo reviewed the DHR meeting minutes. C. Ashford commented that he was ok with the 75' cul de sac. S. Bourcier recommended that if the PB were to allow for the smaller cul de sac he would prefer the drainage calculations for the larger 97' remain. S. Bourcier commented that the smaller diameter would produce less stormwater run-off as there is less pavement. S. Bourcier is ok with reducing the impervious area but wants the stormwater management standards to be based on the larger cul de sac size. T. Lavelle stated that the drainage calculations are not complete and can have them done based on the 97' cul de sac. Chairman Carideo polled the PB members and all were ok with reducing the size of the cul de sac to 75'.

T. Lavelle commented that the applicant has received State Subdivision approval.

P. Carideo read the Stone Wall Preservation, Section 1:2-9 from the Zoning Ordinance. P. Carideo stated that in the past the PB has required applicants to remove and rebuild walls along proposed right of way. P. Carideo asked for a plan showing the existing square feet of wall along with the restoration plan.

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P. Carideo asked if the Class VI road are the property lines; if not owned by the Nelsons the current owner should be called out on the plan. P. Carideo stated he should show how the right of ways are being transferred.

Chairman Carideo asked for public comment and stated the discussion should be limited to new matters only.

Carl Cote – 30 Collins Drive – provided the board with an updated copy of the well study that was presented last month. C. Cote indicated that four new wells were added to the study which include 6 Pentucket Drive, 40 Pentucket Drive, 10 East Main Street, and 18 East Main Street. C. Cote stated there are weak wells and wells with water quality issues. C. Cote explained the difference between current well depths and older wells. C. Cote stated he is concerned with the impact of eight (8) more wells on abutting properties. C. Cote stated that replacement wells outnumber new wells. C. Cote commented that his neighborhood has high elevations. C. Cote feels this information is helpful for the PB and the developer and hopes the developer will view the cost of deep wells versus the cost to connect to Hampstead Area Water Company (HAWC). C. Cote commented that there should be no well overlap with abutting properties.

R. Clark asked the location of the nearest HAWC connection. C. Cote stated East Main Street. R. Clark asked C. Cote if he had issues if the developer were to connect to HAWC. C. Cote stated the developer needs to offset costs as well as liability. C. Cote further added that he feels the Town has to consider the liability as well. Chairman Carideo stated that the Town has no liability with this issue; State law says that people can reasonably develop their property.

John Grimm – 27 Collins Drive – asked about drainage issues and asked the board to confirm the review process. J. Grimm asked what the process is to look at any impacts to abutting wells.

Chairman Carideo stated that D&K will review the drainage calculations, as the PB is not equipped to review. S. Bourcier completes a comprehensive review and the PB relies on his expertise. P. Carideo confirmed that C. Cote submitted information regarding the wells for the neighborhood and reiterated that the Town and State allow reasonable use of the property and stated the PB can discuss if more information is needed.

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John Keisling – 31 Pentucket Drive – stated there has been an uncomfortable sequence of events, he referred to the DES report and the comments regarding the wells on Pentucket Drive. J. Keisling stated he has a weak well on his property and loses pressure when watering his lawn. J. Keisling gave the depths of his neighbors wells and stated that deep wells take water away from shallow wells. J. Keisling feels this is cause for pause and concern and stated he doesn't see the problem improving with eight (8) more wells. J. Keisling stated the Town overwhelming voted on Article 22 and asked to scrutinize ground water for future purposes.

P. Carideo stated that he is on the Water Committee which was just formed as a result of the March 2019 election. P. Carideo stated it takes time to get things moving and that there is a process to change zoning as it can only be done once each year.

J. Keisling commented that the entire ecosystem will be disturbed with this development.

Karen Keisling – 31 Pentucket Drive – commented about the change in the size of the turn around and questioned why the PB would suggest a waiver if the regulations have changed.

P. Carideo stated that the waiver request has not been formally submitted and added that the PB has the authority to waive regulations. P. Carideo stated the PB explained the process and gave the consultant guidance regarding the matter. R. Clark explained what S. Bourcier previously explained regarding the reduction in cul de sac size. R. Clark stated the new plan will solve the drainage issues on the road. R. Clark stated the Road Agent and Fire Department has no issue with the smaller cul de sac. R. Clark stated, as previously mentioned, the drainage will be designed to accommodate a larger cul de sac.

C. Cote commented that snow accumulates on the cul de sac and buses have an issue. Jon Worthen, Road Agent, stated he plows the snow back as much as possible and that the bus drivers will call if additional work is needed. J. Worthen stated a larger cul de sac would be harder to plow.

Darlene Cote – 30 Collins Drive – asked if blasting would be needed for any of the foundation work. D. Cote asked why not all the house locations are shown on the plan.

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P. Carideo stated the wells are shown on the plans and that it is not a requirement to show the house location on the plan.

D. Cote stated she was concerned that the correct abutter is not noted for map 17-131. D. Soucy stated the abutter may not be correct on the initial plan set however the correct owner was properly noticed.

D. Cote commented that the proposed well on Lot 25 is close to a detention basin. D. Cote asked about the storm water basin and asked where it is directed. P. Carideo stated it is directed where it currently flows, it is designed to handle the current flow rate, this is what the drainage calculations will show.

John Britton – 10 East Main Street – stated he is concerned with changes on the property as he currently has clogged drains going across his driveway. J. Britton stated his property elevation is lower than the subdivision. J. Britton stated he is also concerned with blasting and asked what his recourse would be if there was any damage.

P. Carideo stated the Town requires no bonding for abutting wells, per State rules the wells should be monitored, if there are any issues it would be a civil matter. P. Carideo stated that D&K looks at the developed in site in its entirety and considers changes in the roadway, additionally the PB assumes the developer would not regrade more than needed.

Chairman Carideo stated the PB approves the site to be build and added D&K will review road drainage and confirm it is accurate. P. Carideo stated that according to the contours on the plan it does not appear that water is directed towards his lot.

Chris Badessa – 15 Pentucket Drive – Thanked the PB for hearing all the concerns. C. Badessa stated that he is on his second well and is concerned with drilling and blasting. C. Badessa asked what happens if his water stops and if there are any guarantees for the neighborhood.

Carl Cote – 30 Collins Drive – referred to sheet five of the plan set, Map 16-1-1 shows an existing well and a proposed well. C. Cote asked how the well is decommissioned.

P. Carideo stated the developer does not have to decommission the existing well and added he is not sure how the application was submitted to DES.

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Sarah Petersen – 5 Pentucket Drive – asked if there would be impact on her property as it relates to the removal of the stone wall.

Carol Cote – 30 Collins Drive – stated he is concerned with the pond that is shown on sheet 5 and stated it is close to the dirt road now and it does overflow.

P. Carideo stated it would be looked at as part of the drainage study. P. Carideo stated that the plan shows a swale on both sides of the pavement and a culvert is shown on sheet 6.

C. Cote asked if the drainage calculation would include the pond. C. Cote stated he feels it is worth a site visit to view the pond.

T. Lavelle stated they do not foresee any blasting for this project. T. Lavelle stated the test pits are all six (6) feet or greater and there is no ledge on site. T. Lavelle stated the pond is on a low spot in the road and with the new road the pond would be eliminated as part of the reconstruction of the roadway.

T. Lavelle stated the existing well, if decommissioned, will be done per DES guidelines. T. Lavelle stated that would be determined when the lot is developed. T. Lavelle commented that all well radiuses' are inside the property lines. T. Lavelle stated that most developers will look at drainage.

T. Lavelle stated the only stone walls to be removed are the ones on Map 16 Lots 1 and 25. The stone walls along the property lines of the abutter who spoke will not be touched.

T. Lavelle stated the developer will be using wells as a water source for the homes. T. Lavelle stated the plans are in flux and are being worked on, the most current plans are before the PB. T. Lavelle stated he heard the concerns and indicated the plan will be further along at the next meeting.

MOTION: S. Wentworth made a motion to continue the public hearing for the Hadley Road Subdivision, Map 16 Lots 1 & 25 to the 7/1/2019 meeting

SECOND: D. Howard

VOTE: 7-0

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New Business

1. 15-030 20 Springbrook Road – Accessory Dwelling Unit (ADU)

T. Lavelle was present to represent the applicant. T. Lavelle stated the owner is adding a one-story addition with a garage to the existing home. There will be one garage stall designated for the ADU and two garage stalls for the PDU. The addition is 2,100 sq. ft. total with the garage sq. ft. included in the calculation in case it is converted in the future. T. Lavelle stated the septic system has been designed to accommodate six (6) bedrooms, 4 for the PDU and 2 for the ADU. T. Lavelle stated the driveway will be slightly enlarged and commented it can currently handle six cars. T. Lavelle stated due to the age of the current septic system the owner will be replacing the septic.

Chairman Carideo announced that the application is complete and that the square footage has been delineated. S. Murphy had a question regarding the stairway. T. Lavelle stated it is a walk thru area between the ADU and PDU and that there is a washer/dryer unit for the ADU.

MOTION: C. Ashford made a motion to accept jurisdiction of the application for Map 15 Lot 030 – 20 Springbrook Road ADU

SECOND: D. Howard

VOTE: 7-0

MOTION: C. Ashford made a motion to grant a conditional use permit for an ADU located at Map 15 Lot 030 – 20 Springbrook Road

SECOND: D. Howard

VOTE: 7-0

Planning Board Matters

1. Town Engineer Comments

S. Bourcier stated that as always he is asking for the PB comments. S. Bourcier stated that he reviewed PB minutes and noted that the board is not happy with D&K fees. S. Bourcier stated that if the board is looking to have fees reduced than the services D&K provides would need to be reduced.

P. Carideo stated that some PB feels the fee for the LLA was too high. P. Carideo stated he understands the scope of S. Bourcier's review and comments.

B. Villella commented that the LLA on Ells Road received an engineering bill for approximately \$1,800 and was unsure why the D&K review was needed when in

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fact the ZBA had approved the LLA. P. Carideo stated that the ZBA does not look at all the items which is why a D&K review would be needed.

B. Villella commented that the Baywood Drive subdivision received an engineering bill for approximately \$5K and feels that was unreasonable considering it was already a lot since 1986. B. Villella stated that he developed a subdivision with 1,200' of road and 12 house lots and incurred \$10K in engineering fees. B. Villella stated that \$4,800 of that \$10K was for inspection fees alone. B. Villella stated that as a developer he understands his fees will be high, however, he feels a simple LLA should not be so costly.

D. Howard stated that he would need to research further.

S. Bourcier stated that D&K was within their estimate for the project with regard to the fees for the LLA on Ells Road. S. Bourcier stated he attended PB meetings, performed a DHR, and provided engineering comments.

R. Clark commented that the LLA dealt with two existing non-conforming lots and was a simple exercise to correct the LLA that both property owners had agreed to for years. R. Clark stated he would have preferred D&K to reach out to the PB and suggest that an extended review is not warranted in this case. R. Clark stated he appreciates that S. Bourcier has guidelines but suggested he maybe look at each application differently.

S. Bourcier stated that he can certainly take any action the PB wishes. S. Bourcier commented that the Baywood Drive review letter had 27 review comments, these were housekeeping comments which indicates to D&K that the consultant did not do their own internal quality review of the submission.

B. Villella stated that D&K comments include things such as north arrow needed, building height cannot exceed 35', etc. and asked if these comments could be condensed. S. Bourcier stated that they try to consolidate comments and goes through a checklist of all the items needed. S. Bourcier stated that the initial D&K review letter is as comprehensive as possible so that the consultant can use it as a checklist to confirm all items are being addressed.

R. Clark commented that there are lots of items in Zoning. P. Carideo stated that it is standard practice for plan notes to include a snapshot of the Zoning at the time of submission and commented that most towns require such notes.

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B. Villella stated that individuals are paying too much for reviews. P. Carideo stated that applicants do receive a cost estimate prior to commencing the review. D. Howard commented that if the plan is well prepared there would be less review comments.

R. Clark and B. Villella had a brief discussion regarding the Williams subdivision. R. Clark commented that the ZBA does not look at soils during the review process. P. Carideo commented that the office on the Williams property was not taken into consideration during the review either.

Chairman Carideo asked S. Bourcier to come back to the board with ideas on reducing fees for LLA and two lot subdivisions. S. Murphy asked if D&K fees are based on the number of review comments. P. Carideo stated they are not and that D&K bills an hourly rate.

R. Clark stated that there does not seem to be close coordination between D&K and the applicant's engineer. R. Clark asked if D&K review letters are sent to applicant. S. Bourcier stated that he immediately sends the review letters to the applicant and their representative. S. Bourcier stated that he is working on changes to the 2020 submission schedule to further streamline the process. S. Bourcier stated that the D&K review letters make it clear what is needed and it is up to the consultant to be responsive and address the comments.

S. Bourcier used the Ells Road LLA as an example and stated the initial review letter only had five comments. R. Clark commented that they were all housekeeping items. P. Carideo commented that consultants are not responding to and addressing D&K letters in a timely manner which slows down the process. P. Carideo commented that in the consulting industry you are a professional and as such you do what you need to do to complete the task and meet submission deadlines.

B. Villella stated that things are done differently in other towns. B. Villella stated that the application does not come to the PB until all engineering comments are addressed. B. Villella also indicated that in other towns you have your choice of review engineer.

Chairman Carideo stated that the PB can always change the procedures. D. Howard commented that he feels D&K has done what the PB has directed them to do.

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2. Correspondence - None

3. Member Comments

P. Carideo reminded the PB members that he is working on the water committee. P. Carideo reminded the PB members to update their Zoning books with the replacement pages. The lot size calculation was corrected since it was incorrectly transcribed in the Zoning since 1987.

4. Review of Minutes (5/20 Workshop)

MOTION: C. Ashford made a motion to approve the 5/20/19 Workshop minutes as amended.

SECOND: D. Howard

VOTE: 5-0-2 (S. Wentworth and D. Howard abstained)

5. Adjourn

MOTION: D. Howard made a motion to adjourn at 10:50 P.M.

SECOND: S. Wentworth

VOTE: 7-0

Minutes prepared by Debbie Soucy, Secretary